

Georgia State Board of Funeral Service

Board Meeting

June 12, 2012

A meeting of the Georgia State Board of Funeral Service was held on June 12, 2012 at the Professional Licensing Boards office in Macon, GA. Presiding Officer David Roach called the meeting to order at 10:03 a.m.

A quorum was established with members present being: Michael Fowler, Bryant Hightower, Thelon Hamby, and David Roach, with Lauren McDonald participating by video conference from the office of the Attorney General in Atlanta.

Others present were as follows: Steve Lindsey, Executive Director, and Reagan Dean, Assistant Attorney General, via video conference.

Executive Session:

Bryant Hightower moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by O.C.G.A. § 43-1-2 (k) and 43-1-19 (h). Michael Fowler seconded the motion. The motion was carried by Michael Fowler, Bryant Hightower, Thelon Hamby, David Roach, and Lauren McDonald. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Approval of Minutes:

Thelon Hamby moved, Michael Fowler seconded, and the Board unanimously voted to approve the minutes of the May 8, 2012 meeting and the Executive Session minutes of the May 8, 2012 meeting.

Applications:

Thelon Hamby moved, Bryant Hightower seconded, and the Board unanimously voted to ratify the licenses that were issued since the April 10, 2012 meeting.

License No

Licensee

| | |
|------------|--|
| CREM000096 | Mayes Ward-Dobbins Funeral Home & Crematory-Macland Chapel |
| EMB004780 | Ricks, Joseph Russell |
| EMB004781 | Wilson, Geoffrey Spencer |
| FD005189 | Ricks, Joseph Russell |
| FD005190 | Wilson, Geoffrey Spencer |
| FEST001824 | Burden and Worthy Funeral Home |
| FEST001825 | Burden & Worthy Funeral Home |
| FEST001826 | Mayes Ward Dobbins Funeral Home and Crematory Macland Chapel |

| | |
|-----------|---------------------------|
| FSA005408 | Holmes, Bobby Gene |
| FSA005409 | Campbell, Julius LaShe'an |
| FSA005410 | Robinson, Joseph Loyd, Jr |
| FSA005411 | Wages, Tom Maynard, Jr |
| FSA005412 | Sanders, Jerry Jamal |
| FSA005413 | Watkins, Sylvania, Sr |
| FSA005414 | Baker, Janelle Elizabeth |
| FSA005415 | Henderson, Garrett Nelson |
| FSA005416 | Hill, Dennis Perry |
| FSA005417 | Gallagher, Sarah Miller |

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to approve the following request for appointments as Funeral Director in Full & Continuous Charge:

- SouthCare Cremation & Funeral Society, FEST001820:
Gregory Hall, FDFCC
- Cremation Society of The South, CREM000020:
Gregory Hall, FDFCC
- Hill's Mortuary, FEST001619:
Walter Samuels, FDFCC
- Eternal Hills Funeral Home & Cremation Services, FEST001477 :
Gregory Williams, FDFCC
- Bonaventure Funeral Home, LLC, FEST001725:
Clifford James Neesmith, FDFCC
- Metro Embalming & Crematory, FEST001707 :
Wendy Nicole Eidson, FDFCC

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to approve the following applicant for licensure as new establishment. David Roach recused himself from discussion and abstained from the vote:

- Southern Cremations & Funerals at Cheatham Hill, Marietta, GA
Sheila Thacker, FDFCC

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to approve the following applicants for licensure as new establishment:

- Neptune Society, Duluth, GA
Earnest Poynter, FDFCC
- Wilkinson County Memorial Chapel, Irwinton, GA
Roger L. Smith, FDFCC

- Crawford & Crawford, LLC, Atlanta, GA
Ronnie Crawford, FDFCC

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to approve the following requests for establishment name changes:

- Cox Funeral Home, Bainbridge, GA
Former Name: Cox-Ware Funeral Home
- McLeighton Funeral Service, Reynolds, GA
Former Name: Goddard-McLeighton Funeral Home
- McLeighton Funeral Service, Butler, GA
Former Name: Edwards-McLeighton Funeral Home
- McLeighton Funeral Service, Roberta, GA
Former Name: Goddard-McLeighton Funeral Home
- Advantage Funeral & Cremation Services Conyers Chapel, Conyers, GA
Former Name: Horis A Ward Rockdale Chapel
- Howard & Jones Funeral Home, Jesup, GA
Former Name: Howard-Jones-Nobles Funeral Home

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to approve the following applications:

- Taylor Clark Litesey: Apprentice
- Calvin Gene Rinehart: Apprentice
- Ellery Johnson: Embalmer & Funeral Director
- Leslie Yvette Davis: Embalmer & Funeral Director by Reciprocity
- H William Lee: Reinstatement: EMB004638 & FD005048
- Darren Glenn Brown: Reinstatement: EMB004471 & FD004882

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to table the following applications:

- 1761967
- 1761968

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to deny the following applications, with Lauren McDonald recusing from discussion and abstaining from the vote on 1769802 and 1769809:

- 1763219
- 1763215
- 1765269
- 1769802
- 1769809

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to deny the application for inactive status on the following licensee, citing that the application was filed after the expiration date of the licenses:

- Samuel Allen Ware: EMB003108 & FD003538

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to accept the report of pending cases presented by the Attorney General.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to accept the Voluntary Surrender of licenses signed by the following:

- Bobby Don Rogers, EMB003378 and FD003812

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to accept the consent order issued in connection with FUN120171 upon receipt of the signed consent order.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to accept the Cognizant Member's recommendations on the following cases, with Lauren McDonald recusing from discussion and abstaining from the vote on FUN120152:

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| FUN120152 | Refer to AG for revocation of the establishment license & the embalmer & director licenses of the Respondent. |
| FUN120067 | Refer to inspections to determine if violations of 11/11 have been cleared. If not, cite again and report to board. Request to see contracts for past 5 funerals. |
| FUN120180 | Refer to the AG for a Cease & Desist Order |
| FUN120162 | Refer to Enforcement to follow up with establishment owner concerning attempts to properly dispose of remains. |
| FUN120148 | Close with a letter of concern that death certificates must be filed w/in 30 days as required by law. |
| FUN120022 | Close |
| FUN120164 | Refer to AG for advice |
| FUN120035 | Close with a letter of concern that death certificates must be filed w/in 30 days as required by law. |
| FUN120169 | Refer to Enforcement to obtain statement from wife of deceased about what has |

FUN120151 transpired. Obtain copy of death certificate to determine what establishment is listed as provider & name of Embalmer.
Close

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to ratify the following orders to accept fine money for inspection violations:

| Name | City | Violation | Total Amount Accepted |
|-----------------------------|----------|--|-----------------------|
| Hanley Shelton Funeral Home | Marietta | (3) violations - Provides identification of deceased body, | \$300 |
| Stevens Funeral Home | Valdosta | Eight adult caskets in display room | \$200 |

Thelon Hamby moved, Nancy Kennedy seconded, and the Board unanimously voted to ratify the following Cease & Desist Order for unlicensed practice:

- Bell Funeral Services LLC, Marietta, GA

Continuing Education:

Thelon Hamby moved, David Roach seconded, the Board unanimously voted to accept the committee recommendations on the following continuing education courses:

| Program Provider/Sponsor | Course Title | Previously Approved | HRS Requested | HRS Approved |
|--|---|---------------------|---------------|--------------|
| Lacy Robinson Aurora Casket Company 10944 Marsh Road Aurora, IN 47001 812-926-5662 lrobinson@auroracasket.com | The Balanced Cremation Arrangement | No | 4 | Tabled |
| Barbara Kemmis Cremation Association of North America 499 Northgate Parkway Wheeling, IL 60090 312-245-1077 312-321-4098 fax Barbara@cremationassociation.org | CANA's 94 th Annual Convention August 15-18, 2012 in Vancouver, BC Canada (Classes Listed Below) | Yes | 11.75 | 11.75 |
| | Set Your GPS for Success | | 1.50 | 1.50 |

| | | | | |
|--|--|-----|------|--------|
| | Urban Features | | 2 | 2 |
| | Art & Science of Leadership: Coaching and Mentoring | | 1 | 1 |
| | Experience The Planning and Execution of an Alternative Event | | 1.50 | 1.50 |
| | 2012 CANA Convention Keynote by Donald Cooper | | 1.50 | 1.50 |
| | Evolution of Cremation Cemetery Operations | | 1 | 1 |
| | Results of Alternative Event Workshop | | .50 | .50 |
| | 2012 CANA Convention Keynote Session Continued | | 1.50 | 1.50 |
| | Legal Matters | | 1.25 | 1.25 |
| Krystal Casey MKJ Marketing 1501 Belcher Road South Building B Largo, FL 33771 888-655-1566 727-524-8200 fax kcasey@mkjmarketing.com | Communicating the Value of Service | No | 12 | Tabled |
| | Making Your Business Pay | No | 12 | Tabled |
| Kathleen Walczak National Funeral Directors Association 13625 Bishop's Drive Brookfield, WI 53005 800-228-6332 262-789-6977 fax kwalczak@nfda.org | Building Comfortable Cash Flow for Your Funeral Home (Webinar) | No | 1 | Tabled |
| | Managing Cremation for Profitability (Webinar) | No | 1 | Tabled |
| | National Funeral Directors 2012 Leadership Conference. July 23 – 25, 2012 in Santa Ana Pueblo, NM (Classes Listed Below) | Yes | 9 | 9 |
| | Breakout by Office | | 2 | 2 |
| | Funeral Director Vs. Professional (Part 1) | | 2 | 2 |
| | Funeral Director Vs. Professional (Part 2) | | 1 | 1 |

| | | | | |
|---|---|-----|------|--------|
| | Leadership Isn't for Cowards | | 2 | 2 |
| | Recruit, Retain and Reward Your Members | | 2 | 2 |
| | In The Blink of an Eye: Distracted Driving and Your Business (Webinar) | No | 1 | Tabled |
| Edward Robinson-Carroll National Funeral Directors & Morticians Association, Inc. 6290 Shannon Parkway Union City, GA 30291 770-969-0064 800-434-0958 770-969-0505 fax | National Funeral Directors and Morticians Association 75 th Annual Convention & Exposition. August 4 – 9, 2012 in Las Vegas, Nevada (Classes Listed Below) | Yes | 19 | 19 |
| | State Presidents & Secretaries Database Seminar | | 1 | 1 |
| | New Member & Student Orientation | | 1 | 1 |
| | The Laws of MONEY: The power to control your own destiny | | 1.50 | 1.50 |
| | The Grand Finale': Effective Funeral Event Planning | | 1 | 1 |
| | OSHA Review | | 2 | 2 |
| | Embalming The Radiology Case | | 1 | 1 |
| | Owner's Round Table: Best Kept Secrets for Funeral Directors' Success | | 1 | 1 |
| | The Game Changers | | 1.50 | 1.50 |
| | How Funeral Directors Can Become Invincible to Lawsuits and Save Thousands in Taxes | | 1 | 1 |
| | Labor Laws & Human Resources for Funeral Service Professionals | | 1 | 1 |
| | Exhibit Hall Education & History Museum | | 2 | 2 |
| | Embalming & Restorative Art Techniques | | 2 | 2 |
| | Common Estate Planning Problems of Funeral Home Owners | | 1 | 1 |
| | Embalming Fluids and Their Proper Uses | | 1 | 1 |
| | Information Technology in Funeral Service & Unveiling of the NFDMA Smartphone App | | 1 | 1 |

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|---|--|-----|------|------|
| Valarie Miller SCI Management – Dignity University 1929 Allen Parkway Houston, TX 77019 713-803-3602 | | | 1.50 | 1.50 |
| | Back Safety (Online) | Yes | | |
| | Bloodborne Pathogens (Online) | Yes | 1 | 1 |
| | Cremation Consumer (Online) | Yes | 1 | 1 |
| | Defensive Driving (Online) | Yes | 1.50 | 1.50 |
| | Fire Safety (Online) | Yes | 1 | 1 |
| | Formaldehyde Awareness Training (Online) | Yes | 1 | 1 |
| | FTC – Funeral Rule (Online) | Yes | 2 | 2 |
| | Hazard Communication (Online) | Yes | 1.50 | 1.50 |
| | Hearing Protection (Online) | Yes | 1.25 | 1.25 |
| | Lockout/Tagout (Online) | Yes | 1.25 | 1.25 |
| | Office Safety (Online) | Yes | 1.50 | 1.50 |
| | Respiratory Protection (Online) | Yes | 1 | 1 |
| | Trenching & Shoring (Online) | Yes | 1 | 1 |
| | Managing for Excellence (Instructor-Led) | Yes | 12 | 12 |
| | Effective Supervision (Online) | Yes | 1 | 1 |
| | Effective Employee Counseling (Online) | Yes | 1 | 1 |
| | Managing Change (Online) | Yes | 1 | 1 |
| | Hiring, Training & Retaining High Performing Assoc. (Online) | Yes | 1 | 1 |
| | Performance Management (Online) | Yes | 1 | 1 |
| | Supervision in Action (Instructor-Led) | Yes | 21 | 21 |
| | Cremation Theory (Online) | Yes | 2 | 2 |

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| | Complaint Resolution (Online) | Yes | 1 | 1 |
| | Effective Communication Skills (Online) | Yes | 2 | 2 |
| | Jewish Funeral Traditions (Online) | Yes | 1 | 1 |
| | Funeral At-Need Contracts: Securing Payments In Advance of the Service (Online) | Yes | 1 | 1 |
| | Workplace Discrimination (Online) | Yes | 1 | 1 |
| | Workplace Diversity (Online) | Yes | 1.50 | 1.50 |
| | Workplace Harassment (Online) | Yes | 2 | 2 |
| | Hospice Explained (Online) | Yes | 1 | 1 |

Other Business:

Thelon Hamby moved, Michael Fowler seconded, and the Board unanimously voted to release the following license from probation:

- Charlie A. Reid: FD003128

The Board members reviewed and acknowledge correspondence from Abner P. Dickson, Jr. informing the Board of the closure of the following establishments:

- Pope Dickson & Son Funeral Home, FEST000602, Morrow, GA
- Pope Dickson & Son Funeral Home, FEST000116, Jonesboro, GA

Proposed Rule Amendments:

After review of the drafted amendments, Michael Fowler moved, Thelon Hamby seconded, and the Board voted unanimously to post the following amendments to Rule 250-4-.03:

250-4-.03 Serving of Apprenticeship.

(1) Hours and Duration. An apprenticeship period consists of 3,120 hours served in a time span of no less than eighteen months and no more than two renewal cycles as defined in O.C.G.A. § 43-18- 50(c). This period shall be measured from the date the application is approved by the Board. The eighteen-month minimum must be in addition to the time required to graduate from a college of funeral service accredited by the American Board of Funeral Service Education or such other college specifically approved by the Board. An apprentice shall be allowed to serve a maximum of four hours per day for credit towards completion of the apprenticeship period while enrolled in such college.

- (2) Business Hours. Regular business hours, for purposes of apprenticeship, means the hours between 8:00 A.M. and 10:00 P.M.
- (3) Sleeping. An apprentice may not count hours spent sleeping in a funeral establishment toward his/her hours of requirement, even if such time spent sleeping occurs during the regular business hours as defined in Rule 250-4-.03(2).
- (4) Reports. Every six months, each apprentice shall furnish the details of the hours spent in employment as an apprentice on forms supplied by the Board. After completing the 3,120 hours for apprenticeship within the specified period, the apprentice shall send the last report to the Board regardless of the date. The information contained in the report shall be certified as correct by the funeral director in full and continuous charge and by the supervising funeral director and embalmer. The report will specify the number of bodies in the embalming of which the apprentice has assisted and the number of funerals in which the apprentice has assisted. This report shall be current and available for inspection.

After review of the drafted amendments, Michael Fowler moved, Thelon Hamby seconded, and the Board voted unanimously to post the following amendments to Rule 250-5-.03:

250-5-.03 Licensure by Endorsement: Embalmer.

The Board may, upon payment of the appropriate fee, issue without the requirement of taking the national examination an embalmer license to any person licensed as an embalmer by another State, territory, or country, or by the District of Columbia. An applicant for licensure as an embalmer by endorsement must successfully pass a written examination approved by the Board which test knowledge of the law of this state relating to funeral directors and must either:

- (a) satisfy the requirements listed in Rule 250-5-.01 above; or
- (b) hold a valid embalmer's license in a jurisdiction whose requirements for licensure as an embalmer are substantially equal to the requirements for licensure as an embalmer in Georgia.
- (c) An applicant who cannot meet the requirements of (a) or (b) in this rule may be issued a license as an embalmer by endorsement upon submission of documentation from an employer attesting that the applicant has been engaged in the active practice of funeral service as a licensed embalmer and funeral director for a minimum of three years immediately preceding the submission of an application for licensure in Georgia, in accordance with the provisions of O.C.G.A. § 43-18-42(a)(2). For the purposes of this rule, "immediately preceding" shall mean that the applicant must submit the appropriate application to the Board office within six months of leaving the state in which he or she has been actively engaged in the active practice of funeral service.

After review of the drafted amendments, Michael Fowler moved, Thelon Hamby seconded, and the Board voted unanimously to post the following amendments to Rule 250-5-.06:

250-5-.06 Licensure by Endorsement Funeral Director.

The Board may, upon payment of the appropriate fee, issue without the requirement of taking the national examination a funeral director license to any person licensed as a funeral director by another State territory, or country, or by the District of Columbia. An applicant for licensure as a funeral director by endorsement must pass the Board-approved Jurisprudence Examination on Georgia law regarding funeral directing on or after January 1, 1991, and either:

- (a) satisfy the requirements listed in Rule 250-5-.04 above, or
- (b) hold a valid funeral director's license in a jurisdiction whose requirements for licensure as a funeral director are substantially equal to the requirements for licensure as a funeral director in Georgia.
- (c) no endorsement embalmer or funeral director license may be issued on the basis of another reciprocal or endorsement license.
- (d) An applicant who cannot meet the requirements of (a) or (b) in this rule may be issued a license as a funeral director by endorsement upon submission of documentation from an employer attesting that the applicant has been engaged in the active practice of funeral service as a licensed embalmer and funeral director for a minimum of three years immediately preceding the submission of an application for licensure in Georgia, in accordance with the provisions of O.C.G.A. § 43-18-42(a)(2). For the purposes of this rule, "immediately preceding" shall mean that the applicant must submit the appropriate application to the Board office within six months of leaving the state in which he or she has been actively engaged in the active practice of funeral service.

David Roach moved, Thelon Hamby seconded, and the Board voted unanimously to change the date of the July meeting to July 17, beginning at 10:00 a.m., in order to provide the required 30-day notice for the rule amendments prior to the rule amendment hearings.

Election of Officers:

Thelon Hamby was nominated to serve as Chairman. There were no other nominations.

Bryant Hightower was nominated to serve as Vice-Chairman. There were no other nominations.

David Roach moved, Michael Fowler seconded, and the Board voted unanimously to approve Thelon Hamby as Chairman and Bryant Hightower as Vice-Chairman for the next year.

There being no further business, the meeting adjourned at 2:04 p.m.

The next meeting of the Board will be on Tuesday, July 17, 2012.

Minutes approved at the July 17, 2012 meeting.